

REMARKS/ARGUMENTS

Claims 1-48 are pending in the application. The Examiner has rejected claims 1-48. Applicant has amended claims 18, 27-30, and 46-48. Applicant respectfully requests reconsideration of pending claims 1-48.

The Examiner has objected to claims 27 and 28 because of alleged informalities. Applicant has amended claims 27 and 28. Applicant submits amended claims 27 and 28 contain no new matter. Applicant submits amended claims 27 and 28 are in condition for allowance.

Applicant has also amended claims 46-48. Applicant submits amended claims 46-48 contain no new matter. Applicant submits amended claims 46-48 are in condition for allowance.

Applicant has also amended claims 29 and 30. Applicant submits amended claims 29 and 30 contain no new matter. Applicant submits amended claim 29 and 30 are in condition for allowance.

The Examiner states, "Claims 25-30 are rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by Jean et al. (U.S. Publication 2002/0169884)." However, Applicant notes the details of such rejection refer to the newly-cited Banginwar reference. Thus, Applicant understands the rejection of claims 25-30 under 35 U.S.C. § 102(e) to be alleging that such claims are anticipated by Banginwar (U.S. Patent 6,611,863), and Applicant responds accordingly. Regarding such rejection, Applicant respectfully disagrees.

Regarding claim 25, Applicant submits the cited portions of the cited reference fail to anticipate the subject matter of claim 25. As one example, Applicant submits the cited portions of the cited reference fail to anticipate "determining if said network device has routing capabilities." While the Examiner cites "(determining if the device is a router, col. 6, lines 54-62)," Applicant can find no teaching of "determining if the device is a router" or even any mention of "router" in "col. 6, lines 54-62" of the Banginwar reference.

As another example, Applicant submits the cited portions of the cited reference fail to anticipate "removing said network device from said list upon receiving confirmation that said network device should be managed from said NMS." While the Examiner cites "(removing device from the list of devices at the proxy upon receiving a message from the device discovery that the device has failed, col. 6, lines 13-31)," Applicant notes col. 6, lines 27-31 state, "...which identify devices which can no

longer be managed by the proxy 116 (e.g., have been removed or have failed). The new devices are added to the list while devices that can no longer be policy managed are removed." Applicant submits such teaching is contrary to "removing said network device from said list upon receiving confirmation that said network device should be managed from said NMS." Thus, Applicant submits claim 25 is in condition for allowance.

Regarding claim 27, Applicant submits the cited portion of the cited reference fails to anticipate the subject matter of claim 27. As one example, Applicant submits the cited portion of the cited reference fails to anticipate "wherein said step of discovering comprises receiving at said NMS an SNMP notification from said network device upon connection to said communication network." While the Examiner cites "(receiving SNMP device specific information, col. 4, lines 62-65)," Applicant sees no teaching in the cited portion of the cited reference as to "...upon connection to said communication network." Thus, Applicant submits claim 27 is in condition for allowance.

Regarding claim 28, Applicant submits the cited portion of the cited reference fails to anticipate the subject matter of claim 28. As one example, Applicant submits the cited portion of the cited reference fails to anticipate "sending a request to network devices pertaining to a certain sub-network." While the Examiner cites "(send request to device proxies 116 pertaining to a list of IP address range)," Applicant notes Fig. 1 of the cited reference appears to distinguish between "devices" 120A-E and "device proxies" 116A-116Z. Thus, Applicant submits, in the context of the cited reference, teaching as to sending "request to device proxies 116," as alleged by the Examiner does not teach "sending a request to network devices...." Thus, Applicant submits claim 28 is in condition for allowance.

Regarding claim 26, Applicant submits the cited portion of the cited reference fails to anticipate the subject matter of claim 26. As one example, Applicant submits the cited portion of the cited reference fails to anticipate "wherein said step of sending comprises sending a SNMP request." While the Examiner cites "(SNMP protocol is used to obtain device specific information, col. 4, lines 62-65)," Applicant notes claim 26 depends from claim 28, which depends from claim 27, which depends from claim 25. Accordingly, Applicant submits the subject matter of claim 26 must be considered in the context of the claims from which it depends. As the Examiner alleged, with respect to claim 28, "(send request to device proxies 116...)" Applicant submits the Examiner's citation of col. 4, lines 62-65, appears to be inconsistent. Thus, Applicant submits the cited portion of the cited reference fails to

anticipate the subject matter of claim 26. Therefore, Applicant submits claim 26 is in condition for allowance.

Regarding claim 29, Applicant has amended claim 29. Applicant submits the cited portion of the cited reference fails to anticipate the subject matter of claim 29. As one example, Applicant submits the cited portion of the cited reference fails to anticipate "wherein said step of receiving said response comprises receiving a message comprising information about a type of said network device." While the Examiner cites "(col. 3, lines 55-67, col. 4, lines 1-45)," Applicant notes claim 29 depends from claim 28, which depends from claim 27, which depends from claim 25. Accordingly, Applicant submits the subject matter of claim 29 must be considered in the context of the claims from which it depends. As the Examiner alleged, with respect to claim 28, "(send request to device proxies 116...)" Applicant submits the Examiner's citation of "(col. 3, lines 55-67, col. 4, lines 1-45)" appears to be inconsistent. Thus, Applicant submits the cited portion of the cited reference fails to anticipate the subject matter of claim 29. Therefore, Applicant submits claim 29 is in condition for allowance.

Regarding claim 30, Applicant has amended claim 30. Applicant submits the cited portion of the cited reference fails to anticipate the subject matter of claim 30. As one example, Applicant submits the cited portion of the cited reference fails to anticipate "wherein said step of receiving said response comprises receiving a message identifying said type of said network device as a device having data forwarding capabilities." While the Examiner cites "(col. 3, lines 55-67, col. 4, lines 1-45)," Applicant does not see any mention of "...having data forwarding capabilities" in the cited portion of the cited reference. Thus, Applicant submits claim 30 is in condition for allowance.

The Examiner has rejected claims 1-16, 18-20, and 22-24 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Jean et al. (U.S. Publication 2002/0169884) in view of Aoyagi et al. (U.S. Publication 2002/0032761). Applicant respectfully disagrees.

Regarding claim 1, Applicant submits the cited portions of the cited references, either alone or in combination, fail to render obvious the subject matter of claim 1. As one example, Applicant submits the cited portion of the cited references fails to render obvious "selecting a first network address from a first set comprising a plurality of network addresses." While the Examiner cites "(selecting a legacy network device corresponding to an IP address, paragraph 0064)," Applicant sees no mention of "address" in the cited portion of the cited reference. As another example, Applicant submits the cited portions of the cited reference fail to render obvious "awaiting a first appropriate

response to said first message." While the Examiner cites "(awaiting the response of the SNMP discovery response from the legacy network device, paragraph 0063 and elements 64, 65, Fig. 3)," Applicant sees no mention of "awaiting..." in the cited portion of the cited reference.

Furthermore, Applicant notes Applicant previously amended claim 1 to recite "determining if said first device provides routing capabilities" and "if said first device provides routing capabilities, making said first device available for selection for management by a network management system." Applicant submits the Examiner fails to allege teaching in the cited references as to such subject matter. Thus, Applicant submits the Examiner has not presented a *prima facie* showing of obviousness with respect to claim 1.

Also, while the Examiner states, "Aoyagi discloses a device discovery system in which the process of sending of a second SNMP discovery request message to a second network device is repeated after an error message is received from an MIB access module indicating the first network device cannot be found (see paragraphs 0383-0386 and Fig. 52)," Applicant sees no mention of a "second address" in the cited portions of the Aoyagi reference. Rather, Applicant notes step 5210 of Fig. 52 merely states, "Return error to auto discovery module" and paragraph [0386] states, "After the completion of step 5209 or 5210, the processing is repeated from the step 5201." Thus, Applicant submits claim 1 is in condition for allowance.

Regarding claim 2, Applicant submits the cited portions of the cited references, either alone or in combination, fail to render obvious the subject matter of claim 2. As one example, Applicant submits the cited portion of the cited references fails to render obvious "failing to receive a second appropriate response to a second message sent to said second address within a response time period" Applicant notes the Examiner states, "Regarding claim 2, Jean discloses the method of claim 1 further comprising the steps of: failing to receive a second appropriate response to a second message sent to said second address within a response time period (fail to receive a response for a legacy network device within a expiration timer, paragraph 0064)." Applicant notes claim 2 depends from claim 1. Applicant notes the Examiner stated, in rejecting claim 1, "Jean does not explicitly show selecting a second address from said first set of network addresses and repeating said sending, and awaiting steps for said second network address." Accordingly, Applicant submits the portion of the Jean reference cited by the Examiner does not disclose "failing to receive a second appropriate response to a second message sent to said second address within a response time period."

Furthermore, Applicant notes the Examiner further relies on the assertion that "Aoyagi discloses a device discovery system in which the process of sending of a second SNMP discovery request message to a second network device is repeated after an error message is received from an MIB access module indicating the first network device cannot be found (see paragraphs 0383-0386 and Fig. 52)," which Applicant addressed above with respect to claim 1. Thus, Applicant submits, even in view of "paragraphs 0383-0386 and Fig. 52" of the Aoyagi reference, the Jean reference does not render obvious the subject matter of claim 2. Therefore, Applicant submits claim 2 is in condition for allowance.

Regarding claim 3, Applicant submits the cited portions of the cited references, either alone or in combination, fail to render obvious the subject matter of claim 3. As one example, Applicant submits the cited portion of the cited references fails to render obvious "wherein said first set of network addresses comprises a range of network addresses." While the Examiner cites "(a list of newly discovered legacy network devices that correspond to a list of IP addresses, paragraph 0063)," Applicant can find no reference to "a range of network addresses" in the cited portion of the cited reference. Thus, Applicant submits claim 3 is in condition for allowance.

Regarding claim 4, Applicant submits the cited portions of the cited references, either alone or in combination, fail to render obvious the subject matter of claim 4. As one example, Applicant submits the cited portion of the cited references fails to render obvious "wherein said first set of network addresses comprises a list of network addresses." While the Examiner cites "(a range of newly discovered legacy network devices that correspond to a list of IP addresses, paragraph 0063)," Applicant can find no reference to "a range of network addresses" in the cited portion of the cited reference. Thus, Applicant submits claim 4 is in condition for allowance.

Regarding claim 5, Applicant submits the cited portions of the cited references, either alone or in combination, fail to render obvious the subject matter of claim 5. As one example, Applicant submits the cited portions of the cited references fail to render obvious "selecting a fourth network address from a second set comprising a plurality of network addresses." As another example, Applicant submits the cited portions of the cited references fail to render obvious "sending a fourth message to said fourth network address requesting information about any device associated with said fourth network address." As yet another example, Applicant submits the cited portions of the cited references fail to render obvious "awaiting an appropriate response to said fourth message." While the

Examiner states, "Aoyagi discloses a device discovery system in which the process of sending of a second SNMP discovery request message to a second network device is repeated after an error message is received from an MIB access module indicating the first network device cannot be found (see paragraphs 0383-0386 and Fig. 52)," Applicant sees no mention of a "second network address," a "third network address," or a "fourth network address" in the cited portions of the Aoyagi reference. Rather, Applicant notes step 5210 of Fig. 52 merely states, "Return error to auto discovery module" and paragraph [0386] states, "After the completion of step 5209 or 5210, the processing is repeated from the step 5201." Thus, Applicant submits claim 5 is in condition for allowance.

Regarding claim 6, Applicant submits the cited portions of the cited references, either alone or in combination, fail to render obvious the subject matter of claim 6. Applicant notes claim 6 depends from claim 1, for which Applicant has presented arguments as to being in condition for allowance. Thus, Applicant submits claim 6 is also in condition for allowance.

Regarding claim 7, Applicant submits the cited portions of the cited references, either alone or in combination, fail to render obvious the subject matter of claim 7. Applicant notes claim 7 depends from claim 6, which depends from claim 1, for which Applicant has presented arguments as to being in condition for allowance. Thus, Applicant submits claim 7 is also in condition for allowance.

Regarding claim 8, Applicant submits the cited portions of the cited references, either alone or in combination, fail to render obvious the subject matter of claim 8. Applicant notes claim 8 depends from claim 1, for which Applicant has presented arguments as to being in condition for allowance. Thus, Applicant submits claim 8 is also in condition for allowance.

Regarding claim 9, Applicant submits the cited portions of the cited references, either alone or in combination, fail to render obvious the subject matter of claim 9. As one example, Applicant submits the cited portion of the cited references fails to render obvious "wherein said step of receiving said first appropriate response to said first message comprises receiving a message identifying said type of said first device as a device having data forwarding capabilities." While the Examiner cites "(discovery information includes a default router attached to the device, paragraphs 0055, 0063, 0064)," Applicant can find no reference to "identifying said type of said first device as a device having data forwarding capabilities" in the cited portion of the cited reference. Applicant submits the mere statement that "Default router 105 provides the address of the default router associated with the

detected device" (paragraph [0055] of the Jean reference) does not render obvious such subject matter. Thus, Applicant submits claim 9 is in condition for allowance.

Regarding claim 10, Applicant submits the cited portions of the cited references, either alone or in combination, fail to render obvious the subject matter of claim 10. As one example, Applicant submits the cited portion of the cited references fails to render obvious "wherein said step of failing to receive said second appropriate response to said second message comprises receiving a message comprising information about a type of a second device associated with said second network address." Applicant notes the Examiner states, "Regarding claim 10, Jean discloses the method of claim 2 wherein said step of failing to receive said second appropriate response to said second message comprises receiving a message comprising information about a type of a second device associated with said second network address (receiving SNMP device ID that indicates make and model of the device, paragraph 0060)." Applicant notes claim 10 depends from claim 2, which depends from claim 1. Applicant notes the Examiner stated, in rejecting claim 1, "Jean does not explicitly show selecting a second address from said first set of network addresses and repeating said sending, and awaiting steps for said second network address." Accordingly, Applicant submits the portion of the Jean reference cited by the Examiner does not disclose "wherein said step of failing to receive said second appropriate response to said second message comprises receiving a message comprising information about a type of a second device associated with said second network address."

Furthermore, Applicant notes the Examiner further relies on the assertion that "Aoyagi discloses a device discovery system in which the process of sending of a second SNMP discovery request message to a second network device is repeated after an error message is received from an MIB access module indicating the first network device cannot be found (see paragraphs 0383-0386 and Fig. 52)," which Applicant addressed above with respect to claim 1. Thus, Applicant submits, even in view of "paragraphs 0383-0386 and Fig. 52" of the Aoyagi reference, the Jean reference does not render obvious the subject matter of claim 10. Therefore, Applicant submits claim 10 is in condition for allowance.

Regarding claim 11, Applicant submits the cited portions of the cited references, either alone or in combination, fail to render obvious the subject matter of claim 10. As one example, Applicant submits the cited portion of the cited references fails to render obvious "wherein said step of failing to receive said second appropriate response to said second message comprises receiving a message

identifying said type of said second device as a device other than a device having data forwarding capabilities." Applicant notes the Examiner states, "Regarding claim 11, Jean discloses the method of claim 10 wherein said step of failing to receive said second appropriate response to said second message comprises receiving a message identifying said type of said second device as a device other than a device having data forwarding capabilities (obtaining target table descriptor information including a default router attached to the device, paragraphs 0055, 0063, 0064)." Applicant can find no reference to "identifying said type of said second device as a device other than a device having data forwarding capabilities" in the cited portion of the cited reference. Applicant submits the mere statement that "Default router 105 provides the address of the default router associated with the detected device" (paragraph [0055] of the Jean reference) does not render obvious such subject matter. Moreover, Applicant notes the Examiner relied on the same alleged teachings from same portions of the cited reference in support of the rejection of claim 9. Applicant submits such reliance to support the rejections of both claims 9 and 11 is inconsistent, given the respective subject matter of claims 9 and 11. Therefore, Applicant submits claim 11 is in condition for allowance.

Regarding claim 12, Applicant submits the cited portions of the cited references, either alone or in combination, fail to render obvious the subject matter of claim 12. As one example, Applicant submits the cited portion of the cited references fails to render obvious "obtaining configuration information for said first message prior to sending said first message." While the Examiner cites "(obtaining target table descriptor information including the IP address of each newly discovered legacy network device, paragraphs 0055, 0063, 0064)," Applicant can find no reference to "prior to sending said first message" in the cited portion of the cited reference. Thus, Applicant submits claim 12 is in condition for allowance.

Regarding claim 13, Applicant submits the cited portions of the cited references, either alone or in combination, fail to render obvious the subject matter of claim 13. As one example, Applicant submits the cited portion of the cited references fails to render obvious "wherein said step of obtaining said configuration information for said first message comprises obtaining said configuration information from said first set." While the Examiner cites "(obtaining target table descriptor information including the IP address of each newly discovered legacy network device, paragraphs 0055, 0063, 0064)," Applicant can find no reference to "obtaining said configuration information from said first set" in the cited portion of the cited reference. Thus, Applicant submits claim 13 is in condition for allowance.

Regarding claim 14, Applicant submits the cited portions of the cited references, either alone or in combination, fail to render obvious the subject matter of claim 14. As one example, Applicant submits the cited portion of the cited references fails to render obvious "wherein said step of obtaining said configuration information for said first message comprises obtaining a response time period." While the Examiner cites "(obtaining target table descriptor information including expiration timer information set by the PTD, paragraphs 0055, 0063, 0064)," Applicant can find no reference to "obtaining target table descriptor information including expiration timer information set by the PTD" in the cited portion of the cited reference. Rather, Applicant notes paragraph [0064] of the Jean reference states, "Preferably, PTD 66 sets an expiration timer corresponding to each target descriptor entry in target descriptor table 76 when the corresponding target descriptor entry is created or verified as the result of periodic discovery polling." Thus, Applicant submits claim 14 is in condition for allowance.

Regarding claim 15, Applicant submits the cited portions of the cited references, either alone or in combination, fail to render obvious the subject matter of claim 15. As one example, Applicant submits the cited portion of the cited references fails to render obvious "wherein said step of obtaining said configuration information for said first message comprises obtaining security parameters." While the Examiner cites "(obtaining SNMP device ID that indicates make and model of the device, paragraph 0060)," Applicant can find no reference to "obtaining security parameters" in the cited portion of the cited reference. Thus, Applicant submits claim 15 is in condition for allowance.

Regarding claim 16, Applicant submits the cited portions of the cited references, either alone or in combination, fail to render obvious the subject matter of claim 16. As one example, Applicant submits the cited portion of the cited references fails to render obvious "wherein said step of making said first device available for selection for management by a network management system comprises adding said first device to a set of discovered devices." While the Examiner cites "(the discovery information of the newly discovered network legacy device is made available for comparison in the target description table, paragraph 0065)," Applicant can find no reference to "adding said first device to a set of discovered devices" in the cited portion of the cited reference. Rather, Applicant notes paragraph [0065] of the Jean reference states, "If the information has changed, flow passes to step S606 in which the target descriptor entry for the corresponding legacy network device is modified with the new information received in the SNMP discovery information from the legacy network device in response to the periodic SNMP discovery request." Thus, Applicant submits claim 16 is in condition for allowance.

Regarding claim 18, Applicant has amended claim 18. Applicant submits the cited portions of the cited references, either alone or in combination, fail to render obvious the subject matter of claim 18. As one example, Applicant submits the cited portion of the cited references fails to render obvious "displaying said set of discovered devices on a display device." The Examiner states, "Aoyagi discloses a device discovery system in which the physical configuration of network devices is monitored in a network configuration of chart display (paragraph 0160 and Fig. 36)." Applicant can find no reference to "displaying said set of discovered devices" in the cited portion of the cited reference. Thus, Applicant submits claim 18 is in condition for allowance.

Regarding claim 19, Applicant submits the cited portions of the cited references, either alone or in combination, fail to render obvious the subject matter of claim 19. As one example, Applicant submits the cited portion of the cited references fails to render obvious "creating said first set of network addresses." While the Examiner cites "(a list of newly discovered legacy network devices that correspond to a list of IP addresses, paragraph 0063)," Applicant notes claim 19 depends from claim 1. Applicant submits the cited portion of the cited reference fails to render obvious "creating said first set of network addresses" within the context of the subject matter of claim 1. Thus, Applicant submits claim 19 is in condition for allowance.

Regarding claim 20, Applicant submits the cited portions of the cited references, either alone or in combination, fail to render obvious the subject matter of claim 20. As one example, Applicant submits the cited portion of the cited references fails to render obvious "wherein said step of creating said first set of network addresses comprises receiving a beginning network address and an ending network address." While the Examiner cites "(a list of newly discovered legacy network devices that correspond to a list of IP addresses, paragraph 0063, Fig. 4)," Applicant can find no mention of "a beginning network address" or "an ending network address" in the cited portions of the cited reference. Thus, Applicant submits claim 20 is in condition for allowance.

Regarding claim 22, Applicant submits the cited portions of the cited references, either alone or in combination, fail to render obvious the subject matter of claim 22. As one example, Applicant submits the cited portion of the cited references fails to render obvious "receiving a fifth message from a fifth device associated with a fifth network address." While the Examiner states "Jean also discloses receiving a response of the SNMP discovery information from the newly discovered legacy network device. (see paragraph 0065)," Applicant notes claim 22 includes subject matter beyond what the

Examiner alleged the cited portion of the cited reference discloses. As another example, Applicant submits the cited portion of the cited references fails to render obvious "making said fifth device available for selection for management by a network management system." While the Examiner states, "Aoyagi discloses a device discovery system in which the process of sending of a second SNMP discovery request message to a second network device is repeated after a response is received from an MIB access module indicating the first network device is found (see paragraphs 0383-0386 and Fig. 52)," Applicant sees no mention of a "second address" in the cited portions of the Aoyagi reference. Rather, Applicant notes step 5210 of Fig. 52 merely states, "Return error to auto discovery module" and paragraph [0386] states, "After the completion of step 5209 or 5210, the processing is repeated from the step 5201." Thus, Applicant submits claim 22 is in condition for allowance.

Regarding claim 23, Applicant submits the cited portions of the cited references, either alone or in combination, fail to render obvious the subject matter of claim 23. As one example, Applicant submits the cited portion of the cited references fails to render obvious "wherein said step of receiving said fifth message from said fifth device comprises receiving a SNMP message." While the Examiner cites "(receiving SNMP discovery response, paragraph 0064)," Applicant can find no mention of "wherein said step of receiving said fifth message from said fifth device comprises receiving a SNMP message." in the cited portions of the cited reference. Thus, Applicant submits claim 23 is in condition for allowance.

Regarding claim 24, Applicant submits the cited portions of the cited references, either alone or in combination, fail to render obvious the subject matter of claim 24. As one example, Applicant submits the cited portion of the cited references fails to render obvious "wherein said step of making said fifth device available for selection for management by a network management system comprises adding said fifth device to a set of discovered devices." While the Examiner cites "(the table descriptor entry is modified with the new information of corresponding legacy network device, paragraph 0065)," Applicant notes claim 24 depends from claim 22, which depends from claim 1. Applicant submits that the cited portion of the cited reference fails to disclose the subject matter of claim 24 within the context of the subject matter of claim 1, as Applicant has presented arguments above with respect to claim 1. Thus, Applicant submits claim 24 is in condition for allowance.

The Examiner has rejected claim 32-35 and 37-41 under 35 U.S.C. §103(a) as allegedly being unpatentable over Aoyagi et al. (US Publication 2002/0032761). Applicant respectfully disagrees.

Regarding claim 32, Applicant submits the cited portions of the cited references, either alone or in combination, fail to render obvious the subject matter of claim 32. As one example, Applicant submits the cited portion of the cited references fails to render obvious "a user interface for accepting input from a user, said user interface comprising means for said user to specify said discovery range." While the Examiner states, "Aoyagi discloses an auto discovery module for searching all the IP addresses specified in the network range (see paragraphs 0393)," Applicant submits "an auto discovery module for searching all the IP addresses specified in the network range" does not anticipate or render obvious "a user interface for accepting input from a user, said user interface comprising means for said user to specify said discovery range." Thus, Applicant submits claim 32 is in condition for allowance.

Regarding claim 33, Applicant submits the cited portions of the cited references, either alone or in combination, fail to render obvious the subject matter of claim 33. As one example, Applicant submits the cited portion of the cited references fails to render obvious "wherein said user interface comprises means for said user to select one or more of said discovered devices displayed in said discovered devices window for management by a network management system." While the Examiner states, "Aoyagi discloses the apparatus of claim 32 wherein said user interface comprises means for said user to select one or more of said discovered devices displayed in said discovered devices window for management by a network management (information of a device is displayed for management in area 3602 in the network configuration of chart display, see paragraph 0339 and Fig. 36)," Applicant submits "(information of a device is displayed for management in area 3602 in the network configuration of chart display, see paragraph 0339 and Fig. 36)" does not disclose "means for said user to select one or more of said discovered devices." Thus, Applicant submits claim 33 is in condition for allowance.

Regarding claim 34, Applicant submits the cited portions of the cited references, either alone or in combination, fail to render obvious the subject matter of claim 34. As one example, Applicant submits the cited portion of the cited references fails to render obvious "a network communications system for sending network communications to each network address in said discovery range and for receiving responses from any network address in said discovery range." While the Examiner states, "Aoyagi discloses the apparatus of claim 33 further comprising a network communications system for sending network communications to each network address in said discovery range (sending a SNMP request message to the IP address of each network device in the discovery range, paragraph 0385)," Applicant sees no mention in paragraph [0385] of the Aoyagi reference of "a network communications

system," of "each network address," or of a "discovery range." Thus, Applicant disagrees with the Examiner's assertions as to paragraph [0385] of the Aoyagi reference. Therefore, Applicant submits claim 34 is in condition for allowance.

Regarding claim 35, Applicant submits the cited portions of the cited references, either alone or in combination, fail to render obvious the subject matter of claim 35. As one example, Applicant submits the cited portion of the cited references fails to render obvious "wherein said range comprises a plurality of contiguous network addresses." While the Examiner states, "Aoyagi discloses the apparatus of claim 32 wherein said range comprises a plurality of contiguous network addresses (a plurality of contiguous IP addresses, see Fig. 46a)," Applicant notes claim 35 depends from claim 32, which depends from claim 31. Applicant submits the cited portion of the cited reference fails to teach or suggest the subject matter of claim 35 in the context of the subject matter of the claims from which claim 35 depends. Thus, Applicant submits claim 35 is in condition for allowance.

Regarding claim 37, Applicant submits the cited portions of the cited references, either alone or in combination, fail to render obvious the subject matter of claim 37. As one example, Applicant submits the cited portion of the cited references fails to render obvious "a message response analyzer for analyzing responses received from network addresses in said discovery range." While the Examiner states, "Aoyagi discloses the apparatus of claim 34 comprising a message response analyzer for analyzing responses received from network addresses in said discovery range (analyzing network device information display areas 3601, 3602, see paragraph 0339, Fig. 36)," Applicant sees no mention of "analyze" or "analyzing" or "analyzer" in the cited portions of the cited reference. Thus, Applicant submits claim 37 is in condition for allowance.

Regarding claim 38, Applicant submits the cited portions of the cited references, either alone or in combination, fail to render obvious the subject matter of claim 38. As one example, Applicant submits the cited portion of the cited references fails to render obvious "wherein said message response analyzer comprises identification means for identifying a type of a device sending a response." While the Examiner states, "Aoyagi discloses the apparatus of claim 37 wherein said message response analyzer comprises identification means for identifying a type of a device sending a response (network map area 3601 in the network configuration of chart display, identifies whether the device is a type of router or non-intelligent hub, see Fig. 36)," Applicant sees no mention of "analyze" or "analyzing" or

"analyzer" in the cited portions of the cited reference. Thus, Applicant submits claim 38 is in condition for allowance.

Regarding claim 39, Applicant submits the cited portions of the cited references, either alone or in combination, fail to render obvious the subject matter of claim 39. As one example, Applicant submits the cited portion of the cited references fails to render obvious "wherein said network communications system comprises means for receiving messages originating from network devices." While the Examiner states, "Aoyagi discloses the apparatus of claim 34 wherein said network communications system comprises means for receiving messages originating from network devices (MIB access module 612 receiving response messages from network devices, paragraph 0385, and Fig. 6)," Applicant sees no mention of "messages originating from network devices" in the cited portions of the cited reference. Thus, Applicant submits claim 39 is in condition for allowance.

Regarding claim 40, Applicant submits the cited portions of the cited references, either alone or in combination, fail to render obvious the subject matter of claim 40. As one example, Applicant submits the cited portion of the cited references fails to render obvious "wherein said means for receiving messages originating from network devices comprises means for receiving SNMP messages." While the Examiner states, "Aoyagi discloses the apparatus of claim 34 wherein said means for receiving messages originating from network devices comprises means for receiving SNMP messages (MIB access module 612 receiving SNMP response messages from network devices, paragraph 0385, and Fig. 6)," Applicant sees no mention of "messages from network devices" in the cited portions of the cited reference. Thus, Applicant submits claim 40 is in condition for allowance.

Regarding claim 41, Applicant submits the cited portions of the cited references, either alone or in combination, fail to render obvious the subject matter of claim 41. As one example, Applicant submits the cited portion of the cited references fails to render obvious "wherein said discovery range comprises IP addresses." While the Examiner states, "Aoyagi discloses the apparatus of claim 34 wherein said discovery range comprises IP addresses (an auto discovery module for searching all the IP addresses specified in the network range, see paragraphs 0393)," Applicant notes claim 41 depends from claim 34, which depends from claim 33, which depends from claim 32, which depends from claim 31. Applicant submits the cited portion of the cited reference fails to teach or suggest the subject matter of claim 41 in the context of the subject matter of claims 31-34. Thus, Applicant submits claim 41 is in condition for allowance.

The Examiner has rejected claim 17 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Jean et al. (U.S. Publication 2002/0169884) in view of Aoyagi et al. (U.S. Publication 2002/0032761), and in further view of Bearden et al. (U.S. Patent No. 6,917,626). However, Applicant notes U.S. Patent No. 6,917,626 does not correspond to the Bearden et al. reference but to a patent issued to Duvvury. Applicant respectfully disagrees.

Regarding claim 17, Applicant submits the cited portions of the cited references, either alone or in combination, fail to render obvious the subject matter of claim 17. As one example, Applicant submits the cited portion of the cited references fails to render obvious "wherein said step of adding said first device to a set of discovered devices comprises the step of deleting an existing device associated with said first network address from said set of discovered devices prior to adding said first device to said set of discovered devices." While the Examiner states, "However, Bearden discloses that each device is uniquely assigned an address," Applicant sees no citation as to where in the Bearden reference such alleged teaching is purportedly found. Moreover, as Applicant notes above, as "(USP 6,917,626)" refers to a patent issued to Duvvury, not to the Bearden reference, Applicant is unable even to ascertain the reference upon which the Examiner relies as a basis for this rejection. Thus, Applicant submits the Examiner has not made a *prima facie* showing of obviousness with respect to the subject matter of claim 17. Therefore, Applicant submits claim 17 is in condition for allowance.

The Examiner has rejected claim 21 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Jean et al. (U.S. Publication 2002/0169884) in view of Aoyagi et al. (U.S. Publication 2002/0032761), and in further view of Novaes (U.S. Patent No. 6,791,981). Applicant respectfully disagrees.

Regarding claim 21, Applicant submits the cited portions of the cited references, either alone or in combination, fail to render obvious the subject matter of claim 21. As one example, Applicant submits the cited portion of the cited references fails to render obvious "wherein said step of creating said first set of network addresses comprises receiving a data file containing a plurality of discrete network addresses." While the Examiner states, "However, Novaes discloses storing IP addresses in a configuration file," Applicant sees no citation as to where in the Novaes reference such alleged teaching is purportedly found. Thus, Applicant submits the Examiner has not made a *prima facie*

showing of obviousness with respect to the subject matter of claim 21. Therefore, Applicant submits claim 21 is in condition for allowance.

The Examiner has rejected claims 31 and 42 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Aoyagi et al. (U.S. Publication 2002/0032761). Applicant respectfully disagrees.

Regarding claim 31, Applicant submits the cited portions of the cited references, either alone or in combination, fail to render obvious the subject matter of claim 31. As one example, Applicant submits the cited portion of the cited references fails to render obvious "a display device comprising a discovery range window for displaying a network address range for discovery of network devices and a discovered devices window for displaying identification information for devices discovered within said network address range, said devices providing routing capabilities." While the Examiner states, "Regarding claim 31, Aoyagi discloses an apparatus for automatic discovery of network devices within a managed network comprising: a display device comprising a discovery range window for displaying a network address range for discovery of network devices (graphical user interface GUI for displaying a range of network addresses for discovery of network devices, elements 3601, 3603, 3604, Fig. 36) and a discovered devices window for displaying identification information for devices discovered within said network address range (a terminal information window showing the IP address of a network device, element 3602, Fig. 36)," Applicant sees no teaching in the cited portions of the cited reference of "a network address range for discovery of network devices."

The Examiner further states, "Aoyagi does not said devices providing capabilities." The Examiner continues, "However, Kracht discloses device discovery method in which a device type of router will be identified, making the router device available for selection to obtain the IP and MAC address translation maintained by the particular router (col. 10, lines 29-34)." Applicant sees no mention in the cited portion of the cited reference of "to obtain the IP and MAC address translation maintained by the particular router." Moreover, Applicant sees no teaching in the cited portion of the Kracht reference as to "a network address range for discovery of network devices." Thus, Applicant submits the Examiner has not made a *prima facie* showing of obviousness with respect to the subject matter of claim 31. Therefore, Applicant submits claim 31 is in condition for allowance.

Regarding claim 42, Applicant submits the cited portions of the cited references, either alone or in combination, fail to render obvious the subject matter of claim 42. As one example, Applicant submits the cited portion of the cited references fails to render obvious "wherein said discovered

devices window comprises information identifying a discovered device's type." While the Examiner states, "Aoyagi discloses the apparatus of claim 31 wherein said discovered devices window comprises information identifying a discovered device's type (network map area 3601 in the network configuration of chart display, identifies whether the device is a type of router or non-intelligent hub, see Fig. 36)," Applicant notes paragraph [0340] of the Aoyagi reference states, "Moreover, a non-intelligent hub 3604 predicted of connection can also be displayed." Thus, as such "non-intelligent hub" is merely "predicted of connection," Applicant submits Aoyagi does not disclose the "non-intelligent hub" is "a discovered device." Therefore, Applicant submits claim 42 is in condition for allowance.

The Examiner has rejected claim 36 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Aoyagi et al. (U.S. Publication 2002/0032761) in view of Bearden et al. (USP 6,917,626). Applicant respectfully disagrees.

Regarding claim 36, Applicant submits the cited portions of the cited references, either alone or in combination, fail to render obvious the subject matter of claim 36. As one example, Applicant submits the cited portion of the cited references fails to render obvious "wherein said range comprises a plurality of discreet, non-contiguous network addresses." While the Examiner states, "Bearden discloses network devices with IP addresses that belong to another subnet (see paragraph 0012, 0013)," Applicant sees the cited portion of the Bearden reference describing a subnet but not disclosing "network devices with IP addresses that belong to another subnet," as the Examiner alleges. Therefore, Applicant submits claim 36 is in condition for allowance.

The Examiner has rejected claims 43 and 46-48 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Jean et al. (U.S. Publication 2002/0169884) in view of Nelson et al. (USP 5,835,720), and further in view of Banginwar (USP 6,611,863). Applicant respectfully disagrees.

Regarding claim 43, Applicant submits the cited portions of the cited references, either alone or in combination, fail to render obvious the subject matter of claim 43. As one example, Applicant submits the cited portion of the cited references fails to render obvious "wherein said step of sending the request to the network devices pertaining to a certain sub-network comprises sending the request to the network devices pertaining to a list of addresses." While the Examiner states, "However, Banginwar discloses device discovery method in which devices with a specific range of IP addresses will be identified and discovered (col. 4, lines 49-65)," Applicant sees no mention of "sending the

request to the network devices pertaining to a list of addresses." Therefore, Applicant submits claim 43 is in condition for allowance.

Regarding claim 46, Applicant has amended claim 46. Applicant submits the cited portions of the cited references, either alone or in combination, fail to render obvious the subject matter of claim 46. As one example, Applicant submits the cited portion of the cited references fails to render obvious "wherein the step of receiving said response from said network device which identifies characteristics of said network device further comprises receiving the response from the network device which provides a description of the network device." While the Examiner states, "However, Banginwar discloses device discovery method in which the device discovery module will receive device-specific characteristics, such as device type, of network devices collected at the device proxies (col. 3, lines 55-67, col. 4, lines 1-45)," Applicant sees no mention of "receiving the response from the network device which provides a description of the network device." Rather, with respect to the Examiner's allegation that "Banginwar discloses device discovery method in which the device discovery module will receive device-specific characteristics," Applicant notes such allegation appears not to address the "further comprises receiving the response from the network device which provides a description of the network device." Therefore, Applicant submits claim 46 is in condition for allowance.

Regarding claim 47, Applicant has amended claim 47. Applicant submits the cited portions of the cited references, either alone or in combination, fail to render obvious the subject matter of claim 47. As one example, Applicant submits the cited portion of the cited references fails to render obvious "wherein the step of receiving said response from said network device which identifies characteristics of said network device further comprises receiving the response from the network device which provides an identification of the network device." While the Examiner states, "However, Banginwar discloses device discovery method in which the device discovery module will receive device-specific characteristics, such as device type, of network devices collected at the device proxies (col. 3, lines 55-67, col. 4, lines 1-45)," Applicant sees no mention of "receiving the response from the network device which provides an identification of the network device." Therefore, Applicant submits claim 47 is in condition for allowance.

Regarding claim 48, Applicant has amended claim 48. Applicant submits the cited portions of the cited references, either alone or in combination, fail to render obvious the subject matter of claim 48. As one example, Applicant submits the cited portion of the cited references fails to render obvious

"wherein the step of receiving said response from said network device which identifies characteristics of said network device further comprises receiving the response from the network device which identifies services capabilities of the network device." While the Examiner states, "However, Banginwar discloses device discovery method in which the device discovery module will receive device-specific characteristics, such as device capability, of network devices collected at the device proxies (col. 3, lines 55-67, col. 4, lines 1-45)," Applicant sees no mention of "services capabilities." Therefore, Applicant submits claim 48 is in condition for allowance.

The Examiner has rejected claim 44 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Jean et al. (U.S. Publication 2002/0169884) in view of Nelson et al. (USP 5,835,720), and further in view of Kracht (USP 6,377,987). Applicant respectfully disagrees.

Regarding claim 44, Applicant submits the cited portions of the cited references, either alone or in combination, fail to render obvious the subject matter of claim 44. As one example, Applicant submits the cited portion of the cited references fails to render obvious "wherein said step of adding is performed only if said network device has internet protocol (IP) forwarding capability." While the Examiner states, "However, Kracht discloses device discovery method in which a device type of router will be identified, making the router device available for selection to obtain the IP and MAC address translation maintained by the particular router (col. 10, lines 29-34)," Applicant sees no teaching as to "said step of adding" being performed "only if said network device has internet protocol (IP) forwarding capability." Thus, Applicant submits the cited portion of the cited reference fails to disclose the subject matter recited in claim 44. Moreover, Applicant submits the purported motivation fails to support the "only if" language. Furthermore, the Examiner states, "Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combined auto-device discovery system of Jean and Aoyagi with the teaching of Kracht...." However, Applicant notes the Examiner is rejecting claim 44 in reliance on the Jean, Nelson, and Kracht references, not the Jean, Aoyagi, and Kracht references. Accordingly, Applicant submits the Examiner has not made a *prima facie* showing of obviousness with respect to the subject matter of claim 44. Therefore, Applicant submits claim 44 is in condition for allowance.

The Examiner has rejected claim 45 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Jean et al. (U.S. Publication 2002/0169884) in view of Nelson et al. (USP 5,835,720), and further in view of Soumiya et al. (USP 7,136,357). Applicant respectfully disagrees.


Regarding claim 45, Applicant submits the cited portions of the cited references, either alone or in combination, fail to render obvious the subject matter of claim 45. As one example, Applicant submits the cited portion of the cited references fails to render obvious "wherein said step of adding is performed only if said network device has multiprotocol label switching (MPLS) capability." While the Examiner states, "However, Soumiya discloses a method and system for performing discovery of MPLS routers (col. 25, lines 20-29)," Applicant sees no teaching as to "said step of adding" being performed "only if said network device has multiprotocol label switching (MPLS) capability." Thus, Applicant submits the cited portion of the cited reference fails to disclose the subject matter recited in claim 45. Furthermore, Applicant submits the combination of references teaches away from "only if said network device has multiprotocol label switching (MPLS) capability," as at least one other reference appears not to contemplate MPLS capability. Moreover, Applicant submits the purported motivation fails to support the "only if" language. Furthermore, the Examiner states, "Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combined auto-device discovery system of Jean and Aoyagi with the teaching of Soumiya...." However, Applicant notes the Examiner is rejecting claim 44 in reliance on the Jean, Nelson, and Soumiya references, not the Jean, Aoyagi, and Soumiya references. Accordingly, Applicant submits the Examiner has not made a *prima facie* showing of obviousness with respect to the subject matter of claim 45. Therefore, Applicant submits claim 45 is in condition for allowance.

In conclusion, Applicant has overcome all of the Office's rejections, and early notice of allowance to this effect is earnestly solicited. If, for any reason, the Office is unable to allow the Application on the next Office Action, and believes a telephone interview would be helpful, the Examiner is respectfully requested to contact the undersigned attorney.

Respectfully submitted,

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Date



Ross D. Snyder, Reg. No. 37,730
Attorney for Applicant(s)
Ross D. Snyder & Associates, Inc.
PO Box 164075
Austin, Texas 78716-4075
(512) 347-9223 (phone)
(512) 347-9224 (fax)